

#3
ATI-207

UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 3611

RECEIVED

Re: Application of: David S. Breed et al.

FEB 01 2000

Serial No.: 09/437,535

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

Filed: November 10, 1999

For: METHOD AND ARRANGEMENT FOR
CONTROLLING DEPLOYMENT OF A
SIDE AIRBAG

PETITION TO MAKE SPECIAL BASED ON ACTUAL INFRINGEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

January 28, 2000

Sir:

Applicants hereby petition the Commissioner of Patents and Trademarks to make the above-referenced application special and thereby advance the examination of the application out of turn.

A statement by a named inventor in support of this petition is attached and the petition fee of

→ \$130 under 37 C.F.R. §1.17(i), should be charged to Deposit Account No. 50-0266. A duplicate copy of this petition is therefore attached.

FOR THE APPLICANTS
Respectfully submitted,


Brian Roffe
Reg. No. 35,336

03/24/2000 MEVANS1 00000001 500266 09437535
01 FC:122 130.00 CH

Brian Roffe, Esq.
366 Longacre Avenue
Woodmere, New York 11598
Tel: (516) 295-1394
Fax: (516) 295-0318

UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: David S. Breed et al.
Serial No.: 09/437,535
Filed: November 10, 1999
For: METHOD AND ARRANGEMENT FOR
CONTROLLING DEPLOYMENT OF A
SIDE AIRBAG

STATEMENT BY INVENTOR IN SUPPORT OF PETITION TO
MAKE SPECIAL BASED ON ACTUAL INFRINGEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, David S. Breed, a named inventor of the above-referenced application, hereby state the following:

1. There is an infringing device on the market. More specifically, the infringing device is currently installed in several vehicle models being sold in the U.S.
2. I have compared the device and method performed thereby with the claims of this application and in my opinion, at least independent claims 1, 10, 20 and 28 are unquestionably infringed.
3. In my view of my years of experience and continuing involvement in the field of the invention and in the automotive industry, I have good knowledge of the pertinent prior art.


David S. Breed

1/8/00
Date